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24 JAN 1958

MEMORANDUM FOR: Deputy Director of Central Intelligence

THROUGH: Deputy Director (Support)

27 Jan 58

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SUBJECT: Transmittal of Revised Proposal for Instituting
Selection Out Procedures

1. There is transmitted herewith a revised draft of the Office of Personnel proposal for an Agency selection out system. This revision incorporates comments from the Deputy Director (Plans) and the Deputy Director (Intelligence), offered subsequent to submission to your office of the earlier draft of this paper. These additions are specially identified on a separate copy of the proposed paper.

2. In coordinating this paper with the Deputy Director (Plans), the suggestion was made to this office that there should be incorporated a provision that

As the first step in undertaking periodic reviews, Deputy Directors will determine the minimum number of persons, by grade, to be nominated for separation. After coordination with the Director of Central Intelligence, these quotas will be forwarded to the Career Services concerned for action.

Also, in describing the kinds of personnel to whom the selection out procedures would apply, the Deputy Director (Plans) proposed that the pertinent portion of paragraph 1 should be expanded to state

...or persons who barely meet these standards but for whom there is no real need.

At the suggestion of the General Counsel, these two elements have been omitted from the paper which is now submitted. To have retained the statements quoted above would, in the opinion of the General Counsel, almost certainly place this procedure in the reduction in force program category. The Agency is not able to establish its own reduction in force procedures since the Veterans Preference Act vests in the Civil Service Commission exclusive authority to promulgate such regulations, except in cases where Congress makes exemptions from such coverage.

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3. We would agree to omitting the provisions which might be construed as giving this paper a reduction in force character, from a legal viewpoint, in order that the Agency policy might stand up in the event it were to be contested. However, we feel strongly that the reviews made to identify employees for selection out should be related to the Agency's specific personnel situation, and the Deputy Directors and Heads of Career Services, in instructing their subordinate officers (who will assist in making these selections) furnish them with reasonable goals, in terms of the numbers of personnel affected.

4. The General Counsel has agreed with our suggestion that the question of seeking legislative exemption from the Civil Service Commission's jurisdiction on reduction in force matters might well be explored at this time. It is understood that he is now proceeding with such a study.

5. The paper forwarded herewith has the concurrence of the Deputy Directors for Intelligence, Plans and Support and of the Inspector General.



Gordon M. Stewart
Director of Personnel

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Attachment

Concur



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